



UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/005,318 01/09/98 HEIN

M 310098401C1

HM22/1108

EXAMINER

DAVID J MAKI  
SEED AND BERRY  
6300 COLUMBIA CENTER  
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SEATTLE WA 98104

ROMEO, D

ART UNIT  PAPER NUMBER

1646

**DATE MAILED:**

11/08/99 9

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



UNITED STATES DEPARTMENT OF COMMERCE  
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09005318

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER NUMBER
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9

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

The reply filed on 08/25/99 (Paper no. 8) is not fully responsive to the prior Office action because of the following omission(s) or matter(s): Applicants are required under 35 USC 121 to elect a single disclosed species. The election of "antibiotic" is not a single disclosed species. Penicillin, for example, is a single disclosed species. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David S. Romeo whose telephone number is (703) 305-4050. The examiner can normally be reached on Monday through Friday from 6:45 a.m. to 3:15 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Hutzell, can be reached on (703) 308-4310.

Official papers filed by fax should be directed to (703) 308-4242.

Faxed draft or informal communications should be directed to the examiner at (703) 308-0294.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.

*David Romeo*  
DAVID ROMEO  
PATENT EXAMINER

November 7, 1999